26/11/07

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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 6986 of 2007

PETITIONER Smt. Nalini Bala Sail age about 42 years, Assistant Teacher w/o Shri Surendra Kumar Srishti colony, Kamla College Road, Qtr.No.137, Kaurin Bhatha, Rajnandgaon District Rajnanadgaon(CG)

Versus

RESPONDENTS

1. State Govt. of Chhattisgarh, Through : The Secretary, Education Department, D.K.S. Bhawan, District Raipur (C.G.)
2. District Education Officer Rajnandgaon, District Rajnandgaon(CG)
3. Block Education Officer, Rajnandgaon, District Rajnandgaon(CG)

(Writ Petition under Article 226 of the Constitution of India)

Appearance:

Shri Ajay Shrivastava, counsel for the petitioner.

Ms. Sunita Jain, Panel Lawyer, for the State on advance copy.

ORAL ORDER
(23.11.2007)

SUNIL KUMAR SINHA, J.

Heard.

The petitioner, who is working on the post of Assistant Teacher, has prayed for payment of 2 advance increments on the ground that she has passed D.Tch. examination on her own expenses and she would be benefited by the Circular dated 24.12.1998 issued by the erstwhile State of Madhya Pradesh.

Learned counsel for the petitioner argues that in the matter of B.Ed., D.Ed. & B.T.I. etc., benefits of two advance increments have been extended to the employees, but such benefit is not being extended to the petitioner. For the time being he prays for disposal of this petition with liberty to the petitioner to make a representation before the concerned

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authority with a further direction to the said authority to dispose of the said representation in accordance with the contents of the circular dated 24.12.1998 and also in accordance with the other rules etc., in this regard.

The aforesaid limited prayer of learned counsel for the petitioner is not opposed by learned counsel for the State.

The same is allowed.

It is directed that the petitioner, if so advised, may file a detailed representation before the concerned authority along with a copy of this order and a copy the writ petition as also the Circular dated 24.12.1998 within a period of 3 weeks from today and if such a representation is filed that shall be disposed of by the concerned authority at the earliest, in accordance with law.

The petition stands finally disposed of with the aforesaid observations/directions.

Sd/-
Sunil Kumar Sinha
Judge

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